

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
CLEVELAND DIVISION**

**IN RE: DEPUY ORTHOPAEDICS, INC.,
ASR HIP IMPLANT PRODUCTS
LIABILITY LITIGATION**

This document applies to:

ALL CASES

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1:10-MDL-2197 DAK

HONORABLE DAVID A. KATZ

**AMENDED NOTICE OF ORAL AND VIDEO DEPOSITION OF
DEPUY ORTHOPAEDICS, INC., PURSUANT TO FED. R. CIV. P. 30(B)(6)
(Corporate Organization)**

TO: Robert C. Tucker, Esq.
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Attorneys for Defendant DePuy Orthopaedics, Inc.

PLEASE TAKE NOTICE that pursuant to Rule 26 and Rule 30(b)(6) of the Federal Rules of Civil Procedure, plaintiffs, by and through their undersigned attorneys, the Plaintiffs Steering Committee in the above-captioned Multidistrict Litigation, will take the deposition of DePuy Orthopaedics, Inc., (hereinafter "Defendant"). The deposition, which shall be taken by stenographic and videographic means before a Notary Public, or other person authorized to take oaths, shall be taken at 9:00 a.m., or such other time as is agreed upon by the parties on

September 7, 2011, at the offices of the Hyatt Place Indianapolis Airport, 5500 W. Bradbury Avenue, Indianapolis, Indiana 46241 or such other mutually agreed upon location, and will continue from day to day, excluding Sundays and court-recognized holidays, until completed.

I. DEFINITIONS

1. “DePuy Orthopaedics, Inc.” means Defendant DePuy Orthopaedics, Inc. and shall include its affiliated corporations, parents, subsidiaries, divisions, subdivisions, managers, directors, officers, employees, agents, representatives, as well as its predecessors in interest or name.

2. “DePuy, Inc.” means Defendant DePuy, Inc. and shall include its affiliated corporations, parents, subsidiaries, divisions, subdivisions, managers, directors, officers, employees, agents, representatives, as well as its predecessors in interest or name.

3. “DePuy International Limited” means Defendant DePuy International Limited and shall include its affiliated corporations, parents, subsidiaries, divisions, subdivisions, managers, directors, officers, employees, agents, representatives, as well as its predecessors in interest or name.

4. “DePuy” means Defendants DePuy Orthopaedics, Inc. and DePuy, Inc., collectively, and includes their respective affiliated corporations, parents, subsidiaries, divisions, subdivisions, managers, directors, officers, employees, agents, representatives, as well as its predecessors in interest or name.

5. “Johnson and Johnson” means Defendant Johnson and Johnson and shall include its affiliated corporations, parents, subsidiaries, divisions, subdivisions, managers, directors, officers, employees, agents, representatives, as well as its predecessors in interest or name.

6. “Johnson and Johnson Services Inc.” means Defendant Johnson and Johnson Services Inc. and shall include its affiliated corporations, parents, subsidiaries, divisions, subdivisions, managers, directors, officers, employees, agents, representatives, as well as its predecessors in interest or name.

7. “Johnson and Johnson International” means Defendant Johnson and Johnson International and shall include its affiliated corporations, parents, subsidiaries, divisions, subdivisions, managers, directors, officers, employees, agents, representatives, as well as its predecessors in interest or name.

8. “ASR Hip System” is used to refer to, as broadly applicable as possible whether in the singular or plural, the DePuy ASR XL Acetabular Hip System and any predecessor, successor or non-final derivation of this device, and the DePuy ASR Hip Resurfacing System and any predecessor, successor or non-final derivation of this device.

9. “Test” includes any kind of examination, experiment, scientific analysis or other inquiry or undertaking seeking to develop or acquire information or data. It should include information and data acquired from such tests regardless of the stated or original purpose of the test. The term is intended to include tests which have been completed and tests which are still in progress regardless of whether such activity took place within or without the United States.

10. “Department”, “group”, “regions”, “divisions”, “committees” and/or “task forces” includes but is not limited to Biostatistics/Data Management Organization, Business Intelligence Team, Clin Res/Reg Aff., Clinical Research Organization, Corporate Accounts, Customs and Prototyping Team, DePuy Acromed, DePuy Board Team, DePuy Clinical Research, DePuy Codman Regulatory Affairs, DePuy Customer Service Department, DePuy Global Orthopaedics Biostatistics & Data Management, DePuy Hand Innovations, DePuy Health Care Compliance,

DePuy Inc Operations SOQ/Process Excellence, DePuy Inc. DePuy Ace Warsaw, DePuy Inc. DePuy Trauma & Extremities, DePuy Inc. DePuy Trauma & Extremities Warsaw, DePuy Inc. Operations Worldwide Operations, DePuy International Orthopaedics Board, DePuy Management, DePuy Management Board, DePuy Mitek Regulatory Affairs, DePuy Motech/Acromed, DePuy Inc. Operations DePuy Albuquerque, DePuy Inc. DePuy Mexico, DePuy Orthopaedics Inc Clinical/Regulatory/Quality Advanced Qual, DePuy Orthopaedics Inc Clinical/Regulatory/Quality Advanced Quality Planning, DePuy Orthopaedics Inc Clinical/Regulatory/Quality Quality Syste, DePuy Orthopaedics Inc Clinical/Regulatory/Quality Quality Systems Structure, DePuy Orthopaedics Inc Clinical/Regulatory/Quality Supplier Qual, DePuy Orthopaedics Inc Cost Accounting and Finance, DePuy Orthopaedics Inc Finance International Accounting, DePuy Orthopaedics Inc Financial Accounting, DePuy Orthopaedics Inc Financial Accounting & Tax, DePuy Orthopaedics Inc Healthcare Compliance, DePuy Orthopaedics Inc Information Management, DePuy Orthopaedics Inc Marketing & Sales Territory Sales Offices, DePuy Orthopaedics Inc Medical Affairs, DePuy Orthopaedics Inc Reg Affairs, Clin Res & Biostatistics/Out, DePuy Orthopaedics Inc Research, Depuy Orthopaedics Inc Research & Development Custom Development, DePuy Orthopaedics Inc Research & Development Product Development, DePuy Orthopaedics Inc. Healthcare Compliance, DePuy Orthopaedics Inc. Information Management, DePuy Orthopaedics Inc. Medical Affairs, DePuy Orthopaedics Inc. Reg Affairs, Clin Res & Biostatistics, DePuy Orthopaedics Inc. Accounting, DePuy Orthopaedics Inc. Clinical/Regulatory/Quality Quality Systems Structure, DePuy Orthopaedics Inc. Clinical/Regulatory/Quality Supplier Qua, DePuy Orthopaedics Inc. Clinical/Regulatory/Quality Supplier Quality Mgmt, Systems Design, DePuy Orthopaedics Inc. Cost Accounting and Finance, DePuy Orthopaedics Inc. Finance Worldwide, DePuy

Orthopaedics Inc. Financial Accounting, DePuy Orthopaedics Inc. Financial Accounting & Tax, DePuy Orthopaedics Inc. Human Resources and Legal, DePuy Orthopaedics Inc. Information Management, DePuy Orthopaedics Inc. iOrthopaedics, DePuy Orthopaedics Inc. Management Board, DePuy Orthopaedics Inc. Marketing & Sales Contract Sales and Managed Care, DePuy Orthopaedics Inc. Marketing & Sales Field Marketing, DePuy Orthopaedics Inc. Marketing & Sales Implant Division, DePuy Orthopaedics Inc. Marketing & Sales Implant Division & Bus, DePuy Orthopaedics Inc. Marketing & Sales Strategic Initiatives, DePuy Orthopaedics Inc. Marketing & Sales Territory Sales Office, DePuy Orthopaedics Inc. Marketing & Sales Territory Sales Offices East Area, DePuy Orthopaedics Inc. Marketing & Sales Territory Sales Offices Florida Area, DePuy Orthopaedics Inc. Marketing & Sales Territory Sales Offices Georgia Area, DePuy Orthopaedics Inc. Marketing & Sales Territory Sales Offices Kansas Area, DePuy Orthopaedics Inc. Marketing & Sales Territory Sales Offices Kentucky Area, DePuy Orthopaedics Inc. Marketing & Sales Territory Sales Offices Mid-Atlantic Area, DePuy Orthopaedics Inc. Marketing & Sales Territory Sales Offices Midwest Area, DePuy Orthopaedics Inc. Marketing & Sales Territory Sales Offices North Carolina Area, DePuy Orthopaedics Inc. Marketing & Sales Territory Sales Offices Northern California Area, DePuy Orthopaedics Inc. Marketing & Sales Territory Sales Offices Northwest Area, DePuy Orthopaedics Inc. Marketing & Sales Territory Sales Offices South Area, DePuy Orthopaedics Inc. Marketing & Sales Territory Sales Offices Tennessee Area, DePuy Orthopaedics Inc. Marketing & Sales Territory Sales Offices West Area, DePuy Orthopaedics Inc. Marketing & Sales, Territory Sales Office, DePuy Orthopaedics Inc. Marketing Knee Development & Orthobiolog, DePuy Orthopaedics Inc. Marketing OR Products, Cement & LPS, DePuy Orthopaedics Inc. Marketing Prod Development - OR Products, DePuy Orthopaedics Inc.

Marketing T&E, DePuy Orthopaedics Inc. Medical Affairs, DePuy Orthopaedics Inc. North America, DePuy Orthopaedics Inc. Operations, DePuy Orthopaedics Inc. Operations Customer Service, DePuy Orthopaedics Inc. Operations Distribution, DePuy Orthopaedics Inc. Operations Distribution & Facilities, DePuy Orthopaedics Inc. Operations Knee, Hip & Finishing Business, DePuy Orthopaedics Inc. Operations Knee, Hip & Finishing Business Units, DePuy Orthopaedics Inc. Operations Logistics Management, DePuy Orthopaedics Inc. Operations Orthobiologics Manufacturing & Facilities, DePuy Orthopaedics Inc. Operations Purchasing, DePuy Orthopaedics Inc. Process Excellence & Healthcare Compliant, DePuy Orthopaedics Inc. Quality Systems Structure, DePuy Orthopaedics Inc. Reg Affairs, Clin Res & Biostatistics/Ou, DePuy Orthopaedics Inc. Regulatory Affairs and Regulatory Compliance, DePuy Orthopaedics Inc. Research & Development Custom Development, DePuy Orthopaedics Inc. Research & Development Engineering Services, DePuy Orthopaedics Inc. Research & Development Knee Development, DePuy Orthopaedics Inc. Research & Development Product Development, DePuy Orthopaedics Inc. Research & Development T&E, DePuy Orthopaedics Inc. Sales & Marketing Services Customer Service, DePuy Orthopaedics Inc. Sales & Marketing Services Marketing Com, DePuy Orthopaedics Inc. Sales & Marketing Services Marketing Communications & Sales Administration, DePuy Orthopaedics Inc. Sales Admin, Contract Sales & Sales Mgmt, DePuy Orthopaedics Inc. Sales Management, DePuy Orthopaedics Inc. Sales T&E, DePuy Orthopaedics Inc., Human Resources and Legal, DePuy Orthopaedics Inc., Marketing T&E, DePuy Orthopaedics Inc., Marketing, Field Marketing & Marketing, Marketing, Implant Division & NBD, DePuy Orthopaedics Inc., Marketing, Knee Development, DePuy Orthopaedics Inc., Operations, DePuy Orthopaedics Inc., Operations, Customer Service, DePuy Orthopaedics Inc., Operations, Distribution, DePuy Orthopaedics Inc., Operations, Facilities & Packaging, DePuy

Orthopaedics Inc., Operations, Knee, Hip & Finishing Business, DePuy Orthopaedics Inc., Operations, Logistics Management, DePuy Orthopaedics Inc., Operations, Purchasing, DePuy Orthopaedics Inc., Operations, Research, DePuy Orthopaedics Inc., Operations, Research & Development Engineering, DePuy Orthopaedics Inc., Operations, Research & Development T & E, DePuy Orthopaedics Inc., Operations, Research & Development, Cus, DePuy Orthopaedics Inc., Operations, Research & Development, Knee, DePuy Orthopaedics Inc., Operations, Research & Development, Pro, DePuy Orthopaedics Inc., Sales & Marketing Services, Marketing C, DePuy Orthopaedics Inc., Sales and Contracts, DePuy Orthopaedics Inc., Sales Management, DePuy Orthopaedics Inc., Territory Sales Offices, East Area, DePuy Orthopaedics Inc., Territory Sales Offices, Mid-Atlantic A, DePuy Orthopaedics Inc., Territory Sales Offices, Midwest Area, DePuy Orthopaedics Inc., Territory Sales Offices, North California, DePuy Orthopaedics Inc., Territory Sales Offices, North Carolina, DePuy Orthopaedics Inc., Territory Sales Offices, West Area, DePuy Orthopaedics Inc. Clinical Research & Biostatistics/Outcome, DePuy Orthopaedics Regulatory Division, DePuy Spine Regulatory Affairs, DePuy U.S. Clinical Research, DePuy US Management Board, DePuy Worldwide Executive Staff, DePuy Worldwide Management Board, Document Management, Hip Marketing, Human Resources, Label Development, Marketing, MD&D I/T Organization, Medical Affairs, Project Assignments, Quality Trauma Organization, Regulatory Affairs and Complaints & Vigilance DePuy International Ltd (Leeds), Research Organization, Sales & Marketing Services, Sales Administration, Supplier Clinical Quality Organization, US Clinical Research, US Hip Product Development, US Quality & Compliance Organization, and WW Hip NPD Team.

11. The use of the singular includes the plural and vice versa.

12. “Relevant time period” unless otherwise indicated is January 1997 to the present and applies to all identified deposition topics.

II. DEPOSITION TOPICS

In accordance with Rule 30(b)(6) of the Federal Rules of Civil Procedure, Defendants shall designate one or more officers, directors, managing agents, employees, or other sufficiently knowledgeable persons to testify concerning the following topics:

1. The organizational and corporate history of DePuy Orthopaedics, Inc.
2. The organizational and corporate history of DePuy, Inc.
3. The corporate structure and organization of DePuy Orthopaedics, Inc. and the corporate structure and organization of DePuy, Inc. as it relates to DePuy ASR Hip Systems, and more particularly:
 - a. The internal organizational structure of defendant’s individual departments, groups, regions, divisions, committee and/or task forces;
 - b. The organizational structure within each of defendant’s departments, groups, regions, divisions, committee and/or task forces;
 - c. The functions, duties and responsibilities of each department, group, region, division, committee and/or task forces;
 - d. The name, job title and job responsibilities of each individual who performed any function within each department, group region, division committee and/or task force.
4. The organizational (whether direct or indirect), operational and contractual relationships, if any, between DePuy Orthopaedics, Inc. or any of its predecessors in name, with DePuy, Inc., (or any of its shareholders, members, partners or equity owners).

5. The organizational (whether direct or indirect), operational and contractual relationships, if any, between DePuy Orthopaedics, Inc. or any of its predecessors in name, with DePuy International Limited (or any of its shareholders, members, partners or equity owners).
6. The organizational (whether direct or indirect), operational and contractual relationships, if any, between DePuy Orthopaedics, Inc. or any of its predecessors in name, with Johnson and Johnson, Johnson and Johnson Services, Inc. and Johnson and Johnson International (or any of their respective shareholders, members, partners or equity owners).
7. The organizational (whether direct or indirect), operational and contractual relationships, if any, between DePuy, Inc. or any of its predecessors in name, with Johnson and Johnson, Johnson and Johnson Services, Inc. and Johnson and Johnson International (or any of their respective shareholders, members, partners or equity owners).
8. The organizational (whether direct or indirect), operational and contractual relationships, if any, between DePuy, Inc. or any of its predecessors in name, with DePuy International Limited (or any of their respective shareholders, members, partners or equity owners).
9. The ownership, any transfers of ownership, mergers, acquisitions or other transactions affecting the organization of, or name changes of, DePuy Orthopaedics, Inc. during the relevant time period.
10. The ownership, any transfers of ownership, mergers, acquisitions or other transactions affecting the organization of, or name changes of, DePuy, Inc. during the relevant time period.
11. All persons, organizations, departments, entities, committees and/or task forces involved in the research, development, marketing and production of the DePuy ASR Hip Systems.

12. Identity, nature, location and storage of all corporate organizational charts related to DePuy Orthopaedics, Inc.
13. Identity, nature, location and storage of all corporate organizational charts related to DePuy, Inc.
14. Identity, nature, location and storage of all organizational charts related to all persons, organizations, departments, entities, committees and/or task forces involved in the research, development, marketing and production of the DePuy ASR Hip Systems.
15. Identity, nature, location and storage of all DePuy Orthopaedics, Inc., employee organizational charts.
16. Identity, nature, location and storage of all DePuy, Inc., employee organizational charts.
17. Identity, nature, location and storage of all DePuy Orthopaedics, Inc., departmental organizational charts.
18. Identity, nature, location and storage of all DePuy, Inc., departmental organizational charts.
19. The identity of all employees and agents of Defendants, including all department or division heads, and staff who have had responsibilities or duties relating to the research, development, marketing and production of the DePuy ASR Hip Systems.
20. The identity(ies) of all owners or holders of capital shares of DePuy Orthopaedics, Inc., and its predecessors in name only, during the relevant time period, including the identity(ies) of each person or entity that owns an interest in all owners or holders of capital shares in DePuy Orthopaedics, Inc. during the same time period.
21. The identity(ies) of all owners or holders of capital shares of DePuy Inc., and its predecessors in name only, during the relevant time period, including the identity(ies) of

each person or entity that owns an interest in all owners or holders of capital shares in DePuy Inc. during the same time period.

22. The structure of any working or functional department, group, committee and/or task force including the identity of those individuals responsible for announcing, overseeing, carrying out and/or effectuating the recall of the ASR Hip Systems.
23. The structure of any working or functional department, group, committee and/or task force including the identity of those individuals responsible for interacting with third parties (e.g., Broadspire) relating to the recall of the ASR Hip Systems.
24. The structure of any working or functional department, group, including the identity of those individuals responsible for interacting with any in-house or third party sales force related to the ASR Hip Systems, including any changes over time.
25. The contractual relationship(s) with all third parties in connection with the sale or distribution of the ASR Hip Systems, including changes over time.
26. The location and manner of storage for the DePuy ASR Hip Systems that have been removed from a patient and delivered to DePuy or any of its affiliates or agents.
27. The structure of any working or functional department, group, committee, and/or task force including the identity of those individuals responsible for storage of the ASR Hip Systems that have been removed from a patient and delivered to DePuy or any of its affiliates or agents.
28. The structure of any working or functional department, group, committee, and/or task force including the identity of those individuals responsible for tracking, recording, reporting, handling, following up on complaints, problems, and adverse event reports relating to ASR Hip Systems.

29. The contractual relationship(s) with all third parties in connection with failed, returned ASR Hip Systems for the purpose of storage, research, examination, inspection and/or testing.

II. DOCUMENTS TO BE PRODUCED

The deponent is requested to produce for the last 10 years for DePuy Orthopaedics, Inc., as it may relate to the ASR Hip Systems the following:

1. All Corporate, departmental, and employee Organizational charts
2. Annual Reports for the relevant time period
3. SEC filings consisting of 10K's and 10Q's for the relevant time period
4. License Agreements as they relate to the DePuy ASR Hip Systems
5. Trademark documents as they related to the DePuy ASR Hip Systems
6. Royalty agreements as they relate to ASR Hip Systems
7. All agreements/contracts with third parties related to the recall of the ASR Hip Systems
8. All documents which you reviewed, referred to, considered or relied upon in responding to the deposition topics described herein

Dated: August 5, 2011

Respectfully submitted,

ZOLL, KRANZ & BORGESS, LLC,

By: /s/ Michelle L. Kranz

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Plaintiffs' Liaison Counsel

CERTIFICATE OF SERVICE

I hereby certify that on August 5, 2011, a copy of the above and foregoing NOTICE OF ORAL AND VIDEO DEPOSITION OF DEPUY ORTHOPAEDICS, INC., PURSUANT TO FED. R. CIV. P. 30(b)(6) was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. Parties may access this filing through the Court's system.

Dated: August 5, 2011

/s/ Michelle L. Kranz
Plaintiffs' Liaison Counsel